

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:11cv432
(CRIMINAL CASE NO. 3:06cr85)**

THOMAS McCOY RICHARDSON, JR.,)

)

Petitioner,)

)

vs.)

ORDER

)

UNITED STATES OF AMERICA,)

)

Respondent.)

)

THIS MATTER is before the Court on the Petitioner's "Objection to Government's Fifth Request for Extension of Time," received by the Court on April 23, 2012. [Doc. 15].

On April 5, 2012, the Government moved for an additional forty (40) days to respond to the Petitioner's Motion to Vacate. [Doc. 12]. The Court granted the Government's Motion on April 9, 2012. [Doc. 13]. The Petitioner filed a Response, styled as an "Objection" to the Government's Motion, on April 11, 2012. [Doc. 14]. The Petitioner then filed a second Response, also styled as an "Objection," on April 23, 2012. [Doc. 15].

Petitioner's second Response states that it was prepared by Frank L. Amodeo, who signs the pleading along with the Petitioner. Mr. Amodeo is

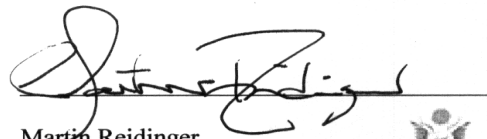
not a party to this action, nor is he admitted to practice law in North Carolina or before this Court. “The law requires that only parties themselves, or their legal counsel as permitted by court rule, may plead and conduct their litigation.” Valiant-Bey v. Morris, 620 F. Supp. 903, 904 (E.D. Mo. 1985). It appears that Mr. Amodeo is a fellow inmate of the Petitioner. While Petitioner may seek assistance and advice from other prisoners, he is not entitled to have a third-party layperson represent him in this litigation. See Herrera-Venegas v. Sanchez-Rivera, 681 F.2d 41, 42 (1st Cir. 1982). For these reasons, the Petitioner’s second response shall be stricken from the record.

IT IS, THEREFORE, ORDERED that the Petitioner’s “Objection to Government’s Fifth Request for Extension of Time” [Doc. 15] is **STRICKEN**.

IT IS FURTHER ORDERED that Frank L. Amodeo shall not sign any further pleadings in this action on behalf of the Petitioner.

IT IS SO ORDERED.

Signed: May 21, 2012



Martin Reidinger
United States District Judge

